

***United States Court of Appeals***

**FIFTH CIRCUIT  
OFFICE OF THE CLERK**

**LYLE W. CAYCE  
CLERK**

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March 10, 2015

Mr. Shay Dvoretzky  
Jones Day  
51 Louisiana Avenue, N.W.  
Acacia Building  
Washington, DC 20001

No. 15-60022      Macy's, Incorporated v. NLRB  
Agency No. 01-CA-137863

Dear Mr. Dvoretzky,

We have filed the record. PETITIONER'S BRIEF AND RECORD EXCERPTS ARE DUE WITHIN **40 DAYS** FROM THE DATE ABOVE, See FED R. APP. P. and 5<sup>TH</sup> CIR. R. 28, 30 and 31. Except in the most extraordinary circumstances, the maximum extension for filing briefs is 40 days in agency cases. See also 5<sup>TH</sup> CIR. R. 30.1.2 and 5<sup>TH</sup> CIR. R. 31.1 to determine if you have to file electronic copies of the brief and record excerpts, and the Portable Document Format (PDF) you **MUST** use. See also 5<sup>TH</sup> CIR. R. 30.1 for the contents of the Record Excerpts which are filed instead of an appendix. You may access our briefing checklist on the Fifth Circuit's website "[www.ca5.uscourts.gov/clerk/docs/brchecklist.pdf](http://www.ca5.uscourts.gov/clerk/docs/brchecklist.pdf)". An intervenor's time is governed by 5<sup>TH</sup> CIR. R. 31.2. 5<sup>TH</sup> CIR. R. 42.3.2 allows the clerk to dismiss appeals **without notice** if the brief is not filed on time.

**The caption for this appeal is attached, and we ask you to use it on any briefs filed with this court.**

Since you have not made arrangements to pay shipping costs, we are not releasing the record. To receive the record on appeal, you must provide this office with a United Parcel Service, or similar commercial delivery service, account number by sending an email to [ca05\\_roarequest@ca5.uscourts.gov](mailto:ca05_roarequest@ca5.uscourts.gov). If you wish to receive exhibits, they must be specifically requested in your email. **You must include the case number in the subject line of your email.** We will charge that account for shipping you the record on appeal, see 5<sup>TH</sup> CIR. R. 30.1, effective November 1, 2004. In the alternative, you may contact a local courier or attorney support services firm to pick up the record and ship it to you. Advise this office if you are pursuing this alternative, or if you need assistance locating a firm to help you. CJA counsel may add these shipping fees to their vouchers.

**Once you obtain the record, you should check it within 10 days of receipt for any missing or incomplete items. If you need to request a supplemental record or order transcripts, do so promptly. The court will not grant extensions of time to file your brief because**

**you did not timely check the record.** Send the record to opposing counsel when you serve your brief. We can loan official government records and exhibits for your convenience only. You must take special care for their safe handling and return. The willful mutilation, obliteration, or destruction of U.S. Court records is a criminal act (18 U.S.C. § 2071).

**Important notice:** 5<sup>TH</sup> CIR. R. 30.1.7(c) provides that the electronic PDF version of the record excerpts should contain pages representing the "tabs" identified in the index of the document. However, we remind attorneys that the actual paper copies of record excerpts filed with the court must contain actual physical tabs that extend beyond the edge of the document, to facilitate easy identification and review of tabbed documents.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Dantrell L. Johnson, Deputy Clerk  
504-310-7689

Enclosure(s)

cc w/encl:

Ms. Julie Brock Broido  
Mr. James B. Coppess  
Ms. Linda Dreeben  
Mr. Thomas More Flanagan  
Ms. Camille Elise Gauthier  
Mr. Matthew James Ginsburg  
Mr. Willis J. Goldsmith  
Mr. Gregory Paul Lauro

Case No. 15-60022

MACY'S, INCORPORATED,

Petitioner Cross-Respondent

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent Cross-Petitioner